

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re Application of: Sacker, Stephen M.

Law Office: 101

Serial No.: 75/835,499

Trademark Attorney: Barbara A.  
Loughran

Filed: November 18, 1999

Trademark: eMD

BOX TTAB/NO FEE  
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

  
09-30-2003  
U.S. Patent & TMO/TM Mail Rpt Dt. #22

**6<sup>th</sup> REQUEST FOR EXTENSION OF TIME FOR FILING  
APPLICANT-APPELLANT'S BRIEF**

Madam:

It is respectfully requested that the time now set for filing applicant-appellant's brief, **September 30, 2003**, be extended an additional sixty days, so that it will be due **December 1, 2003**, if at all. This request is made for the purpose of delay.

Applicant-appellant has obtained the trademark rights from the Bankruptcy Court for the eMD mark used previously for similar goods and services, has discussed the prior use of the mark with the prior owners, and has gathered some documentation supporting the use and has forwarded the documentation and explanation to the owner of the prior e.MD trademark registration. Applicant-appellant is still awaiting the response from the owner of the e.MD trademark in the form of a statement supporting our assertions that there is no likelihood of confusion between the marks.

Applicant-appellant therefore makes this request for an extension of time in which to file its brief. If the 60 day extension is nonetheless denied, applicant respectfully

requests that the time to file its brief at least be reset for a brief period to afford time to prepare and file its brief.

Respectfully submitted,

Applicant-appellant

Date: September 30, 2003

By Kenneth C. Booth  
Kenneth C. Booth  
Reg. No. 42,342  
18 E. University Drive, #101  
Mesa, AZ 85201  
480-655-0073

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mark: eMD

Applicant: Stephen M. Sacker

Serial No.: 75/835,499

Assistant Commissioner for Trademarks

Box TTAB/ No Fee

2900 Crystal Drive

Arlington, Virginia 22202-3513

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Dear Sir:

The undersigned, on behalf of applicant, submits herewith the following:

- 1) Postcard; and
- 2) 6<sup>th</sup> Request for Extension of Time for Filing Applicant-Appellant Brief.

No fee is due with this request.

Respectfully submitted,



Kenneth C. Booth

Reg. No. 42,342

Date: September 30, 2003

Schmeiser, Olsen & Watts LLP

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Mesa, Arizona 85201

(480) 655-0073

I HEREBY CERTIFY THAT THE CORRESPONDENCE TO WHICH THIS STATEMENT IS AFFIXED IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE, POSTAGE PAID AS EXPRESS MAIL IN AN ENVELOPE ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS AND TRADEMARKS, BOX TTAB/ NO FEE, 2900 CRYSTAL DRIVE, ARLINGTON, VIRGINIA 22202-3513,

ON: September 30, 2003

SIGNATURE: 

Heather Clark